

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

ANDREW “ANDY” THOMAS)	
)	
PLAINTIFF,)	CASE NO.: 1:21-cv-2519-TWP-MJD
)	Judge Tanya Walton Pratt
v.)	Magistrate Judge Mark J. Dinsmore
)	
OoSHIRTS, INC. doing business)	
as www.teechip.com, et al.)	
)	
DEFENDANT.)	

DEFENDANT OOSHIRTS, INC’S MOTION FOR PROTECTIVE ORDER

COMES NOW Defendant ooShirts, Inc. (“ooShirts” or “Defendant”), and files this Motion for Protective Order pursuant to FED. R. CIV. P. 26(c)(1), and in support thereof states as follows:

1. Plaintiff filed a fifteen-count complaint against Defendant alleging copyright infringement after a user allegedly uploaded Plaintiff’s artwork depicting Donald Trump and listed it for sale on September 24, 2021. (*See* Dkt. 1).

2. Defendant has engaged in settlement efforts with Plaintiff and the parties have exchanged various proposed agreements and settlement payment schedules, however, to date, no settlement agreement has been executed.

3. Though no settlement agreement has yet been executed, Plaintiff has offered a settlement of \$151,207.01.

4. Defendant has faced financial hardship and uncertainty and, as a result, could potentially face irrevocable financial harm should it be forced to make a lump sum payment.

5. In order to fulfill the terms of a potential settlement agreement and tender the full settlement payment to Plaintiff, Defendant must be afforded the opportunity to make settlement payments to Plaintiff in several installments.

6. In response to this request, Plaintiff has demanded that Defendant tender its financial records.

7. In the course of Plaintiff's requested discovery of these records, Defendant may be required to produce information that constitutes, in whole or in part, protected information such as trade secrets, commercial or financial information, or other information that may cause harm to Defendant. The proposed protective order is attached to this Motion as **Exhibit A**.

WHEREFORE, based on the foregoing, Defendant OoSHIRTS respectfully requests that the Court grant its Motion for Protective Order and issue the proposed Protective Order attached as Exhibit A.

Dated: August 10, 2022

Respectfully submitted,

By: /s/ Kelly V. Milam

Kelly V. Milam

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ATTORNEYS FOR ooSHIRTS, INC. d/b/a

TeeChip and ooSHIRTS, INC. d/b/a

TeeTalk

CERTIFICATE OF SERVICE

I certify that on August 10, 2022, I electronically filed the foregoing document(s) using the Court's Electronic Filing System, which will send notification of such filing(s) to all counsel(s) of record.

/s/ Kelly V. Milam
Kelly V. Milam